

ESTABLISHED AUGUST 24, 1852. The Intelligencer.

BY TELEGRAPH. ASSOCIATED PRESS REPORT.

TO THE DAILY INTELLIGENCER. CONGRESS.

The Joint Session of Congress.

Counting of the Electoral Vote.

New Hampshire, New Jersey, New York and North Carolina Pass.

Oregon Goes to the Commissioners.

The End Approaches.

HOUSE.

WASHINGTON, February 21. The House met at 10 o'clock, but a full hour was consumed in ascertaining whether there was a quorum present and the objection made yesterday against the electoral vote of R. M. Daggett, of Nevada.

Mr. Springer, who made the objection, offered a resolution that the vote be counted, and explained that an error had been made in describing the office held by Daggett as that of United States Commissioner, while the testimony showed that he held the office of Clerk of the United States Court.

After a number of speeches of no special significance were made the vote was taken on Springer's resolution, that the vote of Daggett be counted, and it was agreed to without division.

The Senate was then notified that the House was ready to continue the count and the two bodies met in joint session.

At 11:45 the Senate and House met in joint session. The presiding officer having called the meeting to order and directed the reading of the resolutions of each house in favor of counting the votes of Nevada, the clerk announced that Nevada had cast three votes for Hayes and Wheeler.

Then followed in succession the States of New Hampshire, with five votes for Hayes and Wheeler; New Jersey, nine votes for Tilden and Hendricks; New York, thirty-five votes for Tilden and Hendricks; North Carolina, ten votes for Tilden and Hendricks; Ohio, twenty-two votes for Hayes and Wheeler. The presiding officer now opened and handed to the tellers a certificate received from Oregon. It was read and proved to be the sworn certificate of the three Hayes electors, Cartwright, Odell and Watts, executed before a notary public.

The tellers contain all the statements of the doings of the three electors, the resignation of Watts as postmaster, his subsequent choice by the other two electors, the original ballots cast by the three electors, and they are read in full.

The presiding officer then handed to the tellers the certificate of the three rival electors, Cronin, Miller and Parker, authenticated by the signatures of the Governor and Secretary of State, with the seal of the State attached thereto. The certificate gives two votes to Hayes and Wheeler and one vote to Tilden and Hendricks.

Senator Mitchell objected to the certificates of Cronin, Miller and Parker on the following grounds:

1. Because neither of said persons was ever appointed elector by the State of Oregon in any manner.

2. Because it appears from the records and papers contained in and attached to certificates of W. H. Odell, J. C. Cartwright and John W. Watts, that they were duly appointed electors and cast their votes as such.

3. Because it does not appear from the face of Grover's certificate attached to the returns of the votes of Cronin, Miller and Parker that such certificate was issued to those persons having the highest number of votes for electors, but were issued by him to the persons whom he deemed eligible, though one of them, E. A. Cronin, was not admitted to the polls according to the laws of Oregon.

4. Because it appears from the certificate of S. G. Chadwick, Secretary of State, that Odell, Cartwright and Watts received the highest number of votes, and that the Secretary of State, in pursuance of law, so declared, and thereupon the certificate of the Governor, in so far as it omitted to certify the name of J. W. Watts as one of the electors appointed, and in so far as such certificate contained the name of E. A. Cronin, as one of the electors appointed, fails to conform to the act of Congress, in such cases made and provided for by the laws of Oregon, and that such certificate is as to said Cronin, without authority and of no effect.

5. Because it appears from both certificates that Odell and Cartwright, a majority of the electoral college, were duly appointed electors by Oregon in the manner directed by the Legislature, that the record of the Governor, in so far as it omitted to certify the name of J. W. Watts as one of the electors appointed, and in so far as such certificate contained the name of E. A. Cronin, as one of the electors appointed, fails to conform to the act of Congress, in such cases made and provided for by the laws of Oregon, and that such certificate is as to said Cronin, without authority and of no effect.

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The Argument on the Oregon Case.

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Judge Clifford asked who appeared as objectors to the Oregon case. Senator Kelly answered that himself and Mr. Jenks would appear as objectors to the Oregon case.

Senator Sargent announced that Senator Mitchell and Mr. Lomayne would appear as objectors to the Oregon case.

Mr. Kelly asked an order for the production of the commission and resignation of Watts from the Postoffice Department, and also that Senator Mitchell and Mr. Watts might be subpoenaed as witnesses.

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The orders in both cases were granted, and at the request of Senator Kelly, who was one of the objectors, a recess of half an hour was taken to allow him to procure the necessary books, etc.

The commission was called to order again at ten minutes past 2 o'clock.

Senator Kelly proceeded to submit his objection to certificate No. 1. He said he presumed there would be no dispute of the third objection, viz: That Watts was a postmaster, and they were prepared with proof to sustain the allegation, if this was an office of profit or emolument.

Mr. Kelly argued that if Watts was not qualified to be an elector, he could not be elected as any subsequent election. In the Vermont case, he said, the Legislature had been convened, and decided that Wallace, being Postmaster, was a Federal officer, consequently ineligible to be an elector.

The Rhode Island Legislature had taken a similar view, and filled a vacancy in like manner. He contended that the States had the power to enforce the provisions of the Constitution, and that the State of Oregon had excluded an ineligible elector, and had done so in violation of the laws of Oregon, the person receiving the next highest number of votes was entitled to be declared elected.

The election was by law required to be held on the November 7th, and there was no time to hold a second one, neither was a subsequent election allowed.

Mr. Kelly argued that this was a question for the Executive and the Governor had a right to decide it. The Governor has a right to inquire into the case, he has a right to inquire as to eligibility and issue a commission when the evidence was not sufficient for the constitution. In other words, in the very words of the constitution, he shall see that the laws are faithfully executed. Shall he sit quietly by, knowing that this man Watts held an office of profit under the United States, and when he was sworn to the duties of an elector, he was sworn to the duties of an elector of the United States and the State of Oregon, and both trampled under foot by giving a certificate to a man who is ineligible?

The Governor of Oregon and Secretary of State are the persons to canvass these votes. There is no evidence that there was any fraud, and that they were not only ineligible, but that they were ineligible; I mean including Cronin. It matters not how they came to that decision, the presumption of the law will always be that the electors were qualified.

Representative Jenks moved to amend the Commission for the Democratic side, and after quite a lengthy argument summed up the propositions he had attempted to show:

1. That the only evidence before you which conforms to the law of the land is the evidence which was received by the Oregon and the law of the United States, and that which is certified to by the Governor of the State of Oregon.

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